

ORDERED.

Dated: December 12, 2018



Paul M. Glenn
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA – JACKSONVILLE DIVISION**

**CASE NO. 3:13-bk-00293-PMG
CHAPTER 12**

IN RE:

**James David McKathan aka David McKathan aka
M & H Training and Sales aka Grassroots Training
and Sales and Kaylynn Hayman McKathan aka
Martha K. Hayman aka Martha Kaylynn Hayman
aka Kaylynn Hayman McKathan aka M& H
Training and Sales,
Debtor(s)**

**AGREED ORDER ON FANNIE MAE'S MOTION FOR RELIEF FROM
THE AUTOMATIC STAY.**

THIS CASE came before the Court on December 10, 2018 for consideration upon the Motion for Relief from the Automatic Stay (DE-148) filed by Seterus, Inc., as authorized subservicer for Federal National Mortgage Association ("Fannie Mae"), a corporation organized and existed under the laws of

the United States of America its successors or assigns (hereinafter "Secured Creditor"). Based on the record, and by agreement of the parties, it is,

ORDERED:

1. Secured Creditor's Motion for Relief from the Automatic Stay GRANTED in part and DENIED in part for the limited purpose of entering this order.

2. Secured Creditor shall retain all lien rights against the subject real property, located at 13401 W Highway 316, Reddick, Florida 32686, and legally described as:

Commence at the SW corner of the SE 1/4 of said Section 7, thence N.00°16'53"W., along the West boundary line of the SE 1/4 of said Section 7 a distance of 50.05 feet, to a point on the Northerly right of way line of County Road No. 316 (100 foot wide) and the Point of Beginning; thence N.87°09'31"E., along said Northerly right of way line a distance of 635.46 feet; thence departing from said Northerly right of way line N.00°15'11"W., a distance of 1280.91 feet to a point on the North boundary line of the SW 1/4 of the SE 1/4 of said Section 7; thence S.86°37'42"W., along said North boundary line a distance of 636.38 feet to a point on the West boundary line of aforesaid SE 1/4; thence departing from said North boundary line and along said West boundary line of the SE 1/4 S.00°16'53"E., a distance of 1274.98 feet, to the Point of Beginning.

3. The Debtors shall pay post confirmation advances for taxes and insurance by Secured Creditor together with post petition/preconfirmation advances for taxes and insurance (that were stated in Secured Creditor's supplement to Claim 12, filed on the claims docket on October 1, 2014), for an aggregate amount of \$34,529.11 which shall be added to the outstanding loan/claim balance and be paid at the end of the loan by way of reamortization and/or extended term. These obligations shall survive discharge and remain as part of the loan balance until fully paid.

4. The Debtors shall, going forward, pay their taxes and insurance directly (non escrowed) including payment of 2018 real estate taxes for the subject property which are due on or before March 31, 2019.

5. To further implement these provisions as modifications to the original confirmation, Debtors shall file a modified plan and a motion for approval of same,

on or before January 3, 2019. By such modification the Debtors shall also modify their Chapter 12 Plan to conform with the requirements of the Confirmation Order (as clarified by doc# 106) with respect to repayment of post petition attorney's fees and interest that were stated in Secured Creditor's supplement to Claim 12, filed on the claims docket on October 1, 2014.

6. The stay shall stay in effect provided the Debtors comply with the provisions of this Order, however, in the event the Debtors fail to comply with provisions of this order, Secured Creditor shall be entitled to entry of an *ex parte* order granting stay relief upon 72 hour notice to Debtors' counsel.

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Submitted by:

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Attorney Gregg Ahrens Esq. is directed to serve a copy of this order on interested parties and file a proof of service within 3 days of entry of this order.

Copies furnished to:

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